

Report Date: April 14, 2015

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Apr 14, 2015**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Elias Bustos Espana

Case Number: 0980 2:08CR02052-JPH-1 &
0980 2:08CR02053-JPH-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Name of STEP Judicial Officer: The Honorable James P. Hutton, U.S. Magistrate Judge

Date of Original Sentence: February 11, 2009

Original Offense: 2:08CR02052-EFS-1:

Cts: 1-3: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Cts: 4-6: Unlawful Sale of a Firearm, 18 U.S.C. § 922(d)

2:08CR02053-EFS-1:

Cts 1-4: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 48 months;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Alison L. Gregoire

Date Supervision Commenced: January 16, 2015

Defense Attorney: Alison Klare Guernsey

Date Supervision Expires: January 15, 2017

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1

Special Condition # 17: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.**Supporting Evidence:** On April 7, 2015, Elias Bustos Espana reported to the U.S. Probation Office and admitted to smoking marijuana on April 6, 2015. The defendant then provided a urine sample which tested positive for marijuana.

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- 2 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Elias Bustos Espana failed to submit a urinalysis test at Merit Resource Services on April 9, 2015.

On April 10, 2015, the undersigned officer received a notice from Merit stating the defendant failed to report to their office for a urinalysis test on April 9, 2015.

- 3 **Standard Condition # 5:** The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.

Supporting Evidence: Elias Bustos Espana quit his job at Congdon Packaging on April 10, 2015, without approval from his supervising probation officer.

On April 10, 2015, contact with the production manager at Congdon Packaging revealed the defendant reported to the work site that morning and quit his job. He stated Mr. Espana turned in his time card, picked up his paycheck, and left the premises.

- 4 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Elias Bustos Espana failed to report to the U.S. Probation Office on April 13, 2015.

On April 13, 2015, the undersigned officer contacted the defendant and directed him to report for an office visit that same day. Although Mr. Espana stated he would report, he failed to report as directed and made no attempt to contact his supervision probation officer.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

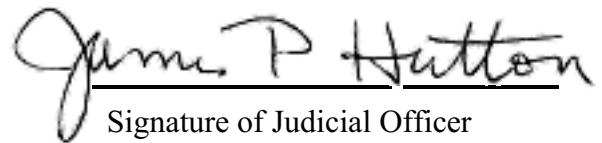
Executed on: s/Jose Vargas

April 14, 2015

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

4/14/2015

Date

